

**REMARKS**

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 7-26 will be pending. By this amendment, claims 7, 11, 15, and 19 have been amended. No new matter has been added.

**Objection to the Specification**

In Section 1 of the Office Action, the Examiner has objected to the title. A new title has been proposed, thereby obviating the objection. Accordingly, it is respectfully requested that this objection be withdrawn.

**§112 Rejection of Claims 7-26**

In Section 3 of the Office Action, the Examiner has rejected claim 7-26 under 35 U.S.C. §112, first paragraph. This rejection has been obviated by the amendment of independent claims 7, 11, 15, and 19. Accordingly, it is respectfully requested that this rejection be withdrawn.

**§102 Rejection of Claims 7-26**

In Section 7 of the Office Action, the Examiner has rejected claims 7-26 under 35 U.S.C. §102(e) as being anticipated by Nijima *et al.* (U.S. Patent No. 5,889,795; hereinafter referred to as "Nijima"). This rejection is respectfully traversed below.

In the Background section of the Specification, it was disclosed that "[e]ach time the data of one sector is written into each segment, the necessity of referring to the address conversion

table is caused. Performance upon writing (or upon reading) is deteriorated due to an overhead which is caused there." *Page 10, lines 11-16 of the Specification.*

To solve the above-described problems, "there is provided a data processing system in which a non-volatile memory apparatus having a plurality of storages in which one cluster is constructed by a plurality of sectors...". *Page 10, line 25 to page 11, line 1 of the Specification.*

For example, the structure of a non-volatile memory system of independent claim 7, as presented herein, describes that "each said segment is composed of a plurality of clusters, and a first N clusters of a given segment each having first to Kth entire sectors successively stored in first to Kth memory locations, respectively, of a corresponding one of said N storages, whereby said N clusters are continuously arranged across said N storages." *Claim 7 (emphasis added).*

However, Figure 7 of Niijima illustrates a cluster having a plurality of sectors, where the sectors are arranged continuously across N storages. Thus, for the purposes of reducing repetitive accesses and reducing deterioration of the insulating film, Niijima's configuration still exhibits the disadvantage described in the Background section of the Specification.

The limitations of independent claims 11, 15, and 19 closely parallel, and are substantially similar to, the limitations disclosed in independent claim 7. Claims 8-10, 12-14, 16-18, 20-22, and 23-26 depend from claims 7, 11, 15, and 19.

Based on the foregoing discussion, it is submitted that claims 7-26 are not anticipated by the teachings of Niijima. Accordingly, it is submitted that the Examiner's rejection of claims 7-26 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

CONCLUSION

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 7-26 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, were patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

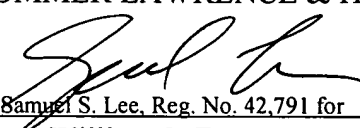
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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